

APPEAL NO. 022083  
FILED SEPTEMBER 17, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on July 17, 2002. With respect to the issues before him, the hearing officer determined that the appellant (claimant) sustained a compensable left hip contusion on \_\_\_\_\_, and that she had disability, as a result of her compensable injury, from \_\_\_\_\_ to August 4, 2001. In her appeal, the claimant argues that the hearing officer erred in determining that her compensable injury does not include her low back, neck and left leg and in determining that her disability ended on August 4, 2001. In its response to the claimant's appeal, the respondent (carrier) urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant's compensable injury of \_\_\_\_\_, is limited to a left hip contusion and that she only had disability from \_\_\_\_\_ to August 4, 2001. There was conflicting evidence on the nature and extent of the injury the claimant suffered as a result of her slip and fall at work. The claimant had the burden of proving that she sustained a compensable injury and the nature and extent of her injury. That issue presented a question of fact for the hearing officer. Texas Workers' Compensation Commission Appeal No. 93613, decided August 24, 1993. Section 410.165(a) provides that the hearing officer is the sole judge of the weight and credibility of the evidence. As the fact finder, the hearing officer resolves the conflicts and inconsistencies in the evidence and determines what facts the evidence has established. Garza v. Commercial Ins. Co., 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). In this case, the hearing officer was not persuaded that the claimant sustained her burden of proving that she sustained any injury, other than a left hip contusion, as a result of the slip and fall at work. He was acting within his province as the finder of fact in so finding. Based upon his determination that the injury was limited to a hip contusion, the hearing officer further determined that the claimant only had disability from \_\_\_\_\_ to August 4, 2001. Nothing in our review of the record demonstrates that the challenged determinations are so against the great weight of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to disturb those determinations on appeal. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **AMERICAN MANUFACTURERS MUTUAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICES COMPANY  
800 BRAZOS  
AUSTIN, TEXAS 78701.**

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Elaine M. Chaney  
Appeals Judge

CONCUR:

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Judy L. S. Barnes  
Appeals Judge

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Veronica Lopez  
Appeals Judge